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JC02 Rec'd PCT/PTO 07 MAY 2002 #6

Receipt

B. J.
6-27-02



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: application of:
Hans-Dieter BOROWSKY et al.

Serial No.: 09/890,227 (Conf. No. 7538)

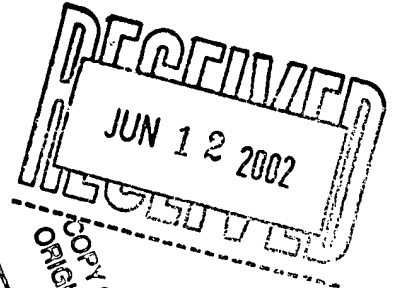
Filed: November 14, 2001

For: AUDITORY TREATMENT DEVICE
(amended)

Attorney Docket No.: HHI-033US

Group Art Unit: 2644

Examiner:



Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231

Certificate of First Class Mailing (37 CFR 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Office of Initial Patent Examination, Customer Service Center, Washington, D.C. 20231 on the date set forth below.

April 29, 2002
Date of Signature and of Mail Deposit

By:

Anthony A. Laurentano
Reg. No. 38,220
Attorney for Applicant

REQUEST FOR CORRECTION OF OFFICIAL FILING RECEIPT

Dear Sir:


Please issue a corrected Filing Receipt for the above-cited application. Applicants request that title be changed from "Hearing Aid" to --**AUDITORY TREATMENT DEVICE**--. Additionally, please correct the Attorney Docket Number from "HHI-033" to --**HHI-033US**--. A copy of the Preliminary Amendment filed with the application on July 27, 2001 is enclosed to support these corrections.

Re: U.S.S.N 09/890,1
Group Art Unit 2644

Applicant encloses a copy of the Official Filing Receipt received from the U.S. Patent and Trademark Office in connection with this application with the requested changes noted thereon in red ink. No fees are believed due to effect the necessary correction. However, if fees are due in connection with the filing of this Request, please charge them to our Deposit Account No. 12-0080.

Respectfully submitted,

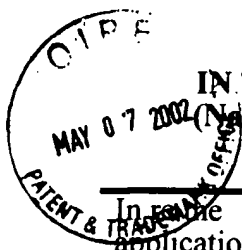
LAHIVE & COCKFIELD



Anthony A. Laurentano
Registration No. 38,220
Attorney for Applicant

28 State Street
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(617) 227-7400

Date: April 29, 2002



IN THE UNITED STATES PATENT DESIGNATED OFFICE (DO/US)
(National Phase of International App.: PCT/DE00/00191, W/O 00/45617)

In Reply,
application of: **Hans-Dieter BOROWSKY *et al.***

International Application No.: **PCT/DE00/00191**

International Filing Date: **21 January 2000**

U.S. Serial No.: **Not Yet Assigned**

Filed: **Herewith**

For: **AUDITORY TREATMENT DEVICE**
(amended)

Attorney Docket No.: **HHI-033US**

COPY OF PAPERS
ORIGINALLY FILED

BOX PCT

Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Dear Sir:

Preliminary to examination of the above-referenced patent application, please amend the enclosed above-titled International patent application as follows.

In the Specification

Page 1, line 1, change the title to "**AUDITORY TREATMENT DEVICE**".

Page 1, line 2, after the title, insert the following "**Background of the Invention**".

Page 1, lines 3-4, please replace the paragraph with the following:

The invention relates to an auditory treatment device for correcting hearing impairments.

Page 1, line 33, insert the following title: "**Summary of the Invention**".

Page 2, lines 1-2, please delete this paragraph.

Page 5, line 27, insert the following title: "**Brief Description of the Drawings**".

Page 5, line 30, please insert the following title: "**Description of Illustrated Embodiment**".

In the Claims

Please amend claims 1-11 as follows:

1. (Amended) A treatment device for correcting impairments to hearing, comprising an essentially cylindrically shaped housing formed of metal, the housing having a battery compartment and a sound exit opening, wherein the housing completely surrounds and shields an electronics unit located therein against electromagnetic waves.
2. (Amended) The treatment device according to claim 1, wherein the battery compartment comprises a watertight seal from the rest of the housing.
3. (Amended) The treatment device according to claim 1, wherein the sound exit opening is sealed by an acoustically transmitting, watertight film.
4. (Amended) The treatment device according to claim 2, wherein the sound exit opening is sealed by an acoustically transmitting, watertight film.

5. (Amended) The treatment device according to claim 1, wherein the housing comprises a first housing component with the battery compartment being fastened together with a second housing component and an O-ring seal (3) being located therebetween.

6. (Amended) The treatment device according to claim 1, wherein the treatment device is free of external moving operating elements.

7. (Amended) The treatment device according to claim 1, wherein the housing is composed of titanium or a titanium alloy.

8. (Amended) The treatment device according to claim 1, further comprising retaining means provided in the battery compartment to fix the position of a battery therein.

9. (Amended) The treatment device according to claim 8, wherein the battery compartment further comprises a hole of small diameter for allowing external access to the battery.

10. (Amended) The treatment device according to claim 8, wherein the retaining means comprise a magnet.

11. (Amended) The treatment device according to claim 10, wherein the magnet comprises a ring magnet, and wherein the battery compartment comprises a hole for allowing external access to the battery, the hole exiting into a center recess of the ring magnet.

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REMARKS

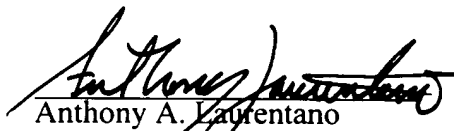
Applicants amend the specification to address minor formal matters, such as introducing appropriate section headers. Applicants also amend the claims to remove multiple dependencies, to provide proper antecedent basis, and to address other matters of form. The foregoing amendments introduce no new matter and are not related to issues of patentability.

Entry of the foregoing Preliminary Amendment is respectfully in order and requested.

If there are any questions regarding the amendments to the application, we invite the Examiner to call Applicants' representative at the telephone number below.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP


Anthony A. Laurentano
Registration No. 38,220
Attorney for Applicants

28 State Street
Boston, MA 02109
(617) 227-7400

Date: July 27, 2001

VERSION TO SHOW MARKINGS WITH CHANGES MADE

In the Specification

Page 1, line 1:

~~HEARING AID~~ AUDITORY TREATMENT DEVICE

Page 1, lines 3-4:

The invention relates to an auditory treatment device ~~according to the preamble of Claim 1~~ for correcting hearing impairments.

In the Claims:

Please amend claims 1-11 as follows:

1. (Amended) A ~~T~~ treatment device for correcting impairments to hearing, comprising an essentially cylindrically shaped housing formed of metal, the housing having a battery compartment ~~as well as and~~ a sound exit opening, ~~characterized in that wherein the housing completely surrounds and shields the an~~ electronics unit located therein the treatment device (1) against electromagnetic waves, and that the housing (2) has an essentially cylindrical shape.

2. (Amended) The ~~T~~ treatment device according to claim 1, ~~characterized in that wherein~~ the battery compartment ~~(7) has~~ comprises a watertight seal from the rest of the housing ~~(2).~~

3. (Amended) The ~~T~~ treatment device according to claims 1 ~~or 2, characterized in that~~ wherein the sound exit opening ~~(5)~~ is sealed by an acoustically transmitting, watertight film.

4. (Amended) The ~~Treatment device according to one of the foregoing claims~~ claim 2,
characterized in that a wherein the sound exit opening (4) is provided in the housing (2),
~~which opening is sealed by an acoustically transmitting, watertight film.~~

5. (Amended) The ~~T~~treatment device according to ~~one of the foregoing claims~~claim 1, ~~characterized in that wherein the housing (2) has two sections (2a, 2b), the~~ comprises a first housing component (2b) with the battery compartment (7) being screwed fastened together with another a second housing component (2a) and an O-ring seal (3) being located in the screw section therebetween.

6. (Amended) The T-treatment device according to ~~one of the foregoing claims~~ claim 1, ~~characterized in that~~ wherein the treatment device (1) is free of external moving operating elements.

7. (Amended) The treatment device according to ~~one of the foregoing claims~~ claim 1, ~~characterized by a~~ wherein the housing (2) is composed of titanium or a titanium alloy.

8. (Amended) The ~~T~~U treatment device according to ~~one of the foregoing claims~~claim 1, characterized in that further comprising retaining means ~~are provided in the battery compartment (7) to fix the position of the~~are provided in the battery compartment (7) to fix the position of the a battery therein.

9. (Amended) The ~~T~~ treatment device according to claim 8, ~~characterized in that wherein~~
the battery compartment further comprises a hole (9) of small diameter is located in the
~~the battery compartment (7) such that the small hole (9) allows~~ for allowing external access
to the battery.

10. (Amended) The ~~T~~-treatment device according to claim 8, ~~characterized in that~~
wherein the retaining means are designed as comprise a magnet.

11. (Amended) ~~The treatment device according to claims 9 and 10, characterized in that wherein the magnet is designed as comprises a ring magnet (8), and wherein the~~

battery compartment comprises a hole for allowing external access to the battery, the hole
(9) exiting into the a center recess of the ring magnet (8).



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/890,227	11/14/2001	2644	625	HHI-033 US		11	1

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Boston, MA 02109



COPY OF PAPERS
ORIGINALLY FILED

CONFIRMATION NO. 7538

REPLACEMENT FILING RECEIPT



OC000000007823491

Date Mailed: 04/08/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Hans-Dieter Borowsky, Neuenkirchen, GERMANY;
Roman Jandaurek, Rheine, GERMANY;
Theo Wesendahl, Rheine, GERMANY;
Edmund Lobbers, Neuenkirchen, GERMANY;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A 371 OF PCT/DE00/00191 01/21/2000

Foreign Applications

GERMANY 199 03 090.1 01/27/1999
GERMANY 299 10 318.8 06/14/1999

Projected Publication Date: Not Applicable, filed prior to November 29,2000

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Auditory Treatment Device
Hearing aid

ENTERED

RECEIVED LAHIVE & COCKFIELD DOCKET DEPT.
APR 12 2002
RETRIEVED: <i>416</i>
FORWARDED: <i>pho</i>

Preliminary Class

381

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Title 37, Code of Federal Regulations, 5.11 & 5.15**

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